

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America

v.

DENNIS ANTHONY SAAVEDRA

*Defendant(s)*

Case No.

**FILED**  
UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICOAUG 03 2017 *lv***MATTHEW J. DYKMAN**  
CLERK

17mj1978

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 27, 2017 in the county of Bernalillo in theDistrict of New Mexico, the defendant(s) violated:*Code Section*

18 U.S.C. Section 2113 -

*Offense Description*

BANK ROBBERY

This criminal complaint is based on these facts:

Please refer to the attached 7-page Affidavit for Criminal Complaint, Arrest Warrant, and Search Warrant.

☒ Continued on the attached sheet.*Complainant's signature*

Bryan M. Acee, FBI Special Agent

*Printed name and title*

Sworn to before me and signed in my presence.

Date:

8/3/2017*Judge's signature*

City and state:

Albuquerque, New Mexico

William P. Lynch, U.S. Magistrate Judge

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT,  
ARREST WARRANT, and SEARCH WARRANT**

**INTRODUCTION AND AGENT BACKGROUND**

1. I, Bryan M. Acee, Special Agent of the Federal Bureau of Investigation (FBI), being first duly sworn, make this affidavit in support of the following:

- a. A Criminal Complaint and Arrest Warrant for DENNIS ANTHONY SAAVEDRA, born in 1983 (the "Subject"), for a violation of Bank Robbery under 18 USC § 2113; and
- b. An Application for a Search Warrant for the premises located at 5710 Evans Road SW, Albuquerque, New Mexico (the "Subject Premises"), and to collect a DNA sample from the Subject via Buccal swab.

2. Photographs and a more detailed description of the Subject and Subject Premises are contained within "Attachment A" and incorporated herein by reference.

**Affiant's Expertise:**

3. I am a federal law enforcement officer within the meaning of Rule 41 of the Federal Rules of Criminal Procedure. I have been a law enforcement officer for 19 years, serving as a police officer, detective, task force officer, and FBI Special Agent. I have received hundreds of hours of formal training in the area of gang, drug, and organized crime investigations. I have served as an adjunct professor, law enforcement instructor, and presenter on law enforcement investigations at the California Highway Patrol Academy, Los Angeles Police Department Academy, New Mexico State Police Academy, and Bernalillo County Sheriff's Office Academy, as well as at training classes and seminars for the Organized Crime Drug Enforcement Task Force, International Outlaw Motorcycle Gang Investigator's Association, California Narcotic Officer's Association, California Gang Investigator's Association, New Mexico Gang Task Force, New Mexico State University, and University of New Mexico. In addition to my investigative duties, I also serve as FBI Special Weapons and Tactics (SWAT) team leader, tactical and firearms instructor, and training agent to new FBI Special Agents.

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**FACTS AND CIRCUMSTANCES ESTABLISHING PROBABLE CAUSE**

**The Robbery and Identification of the Subject:**

4. On July 27, 2017, at approximately 3:53pm, the U.S. Bank at 3801 Isleta Boulevard SW, Albuquerque, New Mexico, was robbed by a Hispanic, male, adult, armed with a knife. The robber forcefully took \$433 in U.S. currency from a bank teller, before fleeing from the bank on foot. Bernalillo County Sheriff's deputies and FBI Special Agents responded to the scene.

5. I obtained photos of the robber from the bank's surveillance system and sent several photos of the robber to gang intelligence officers with the New Mexico Corrections Department (NMCD), Bernalillo County Sheriff's Office (BCSO) and Bernalillo County Metropolitan Detention Center (MDC). Officers with the MDC Security Threat Group advised the robber bore a strong resemblance to DENNIS ANTHONY SAAVEDRA, a habitual offender who had been incarcerated at MDC on multiple occasions.

6. U.S. Bank Employee 1 was presented with a photo array and identified photo #3 (the Subject) as the person who had robbed the bank. Employee 1 went on to explain that she had interacted with the Subject approximately fifty minutes before the actual robbery of the bank when the Subject sat at her desk and discussed the fact that his mother had recently had her ATM card stolen. Employee 1 told the Subject that the bank would help the Subject's mother; however, she would need to come into the bank in person. The Subject inquired as to whether or not the bank had surveillance cameras and Employee 1 said that the bank did have cameras. The Subject then took a piece of candy from a candy dish on Employee 1's desk and departed the bank. At that time, the Subject was wearing a red t-shirt, gray sweatpants, and a black ball cap. As short time later, the Subject returned wearing a white t-shirt and sunglasses. The Subject was still wearing the same gray sweatpants, black ball cap, and tennis shoes. Upon entering the bank, the Subject brandished a knife and announced that he was robbing the bank. Employee 1 immediately recognized the Subject from his earlier visit to the bank.

**Information from U.S. Bank Employees:**

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7. U.S. Bank employees were interviewed by law enforcement officers and related the following information, in summary: The Subject first entered the bank at approximately 3:00pm, dressed in a red t-shirt, gray sweat pants, and a black ball cap. The would-be robber spoke with Employee 1, who is a banker and has a desk in the lobby. The Subject sat at Employee 1's desk and inquired about a stolen ATM card. Employee 1 and the Subject spoke for a minute or two and the Subject abruptly departed the bank after taking a piece of candy from Employee 1's desk. Employee 1 noticed the Subject had several tattoos on his arms, hands, and neck. Employee 2 and Employee 3 are bank tellers and were behind the counter at the time. Employee 2 and Employee 3 did not pay particular attention to the Subject during the first visit.

8. At approximately 3:53pm, the Subject returned to the bank dressed in a white t-shirt, black ball cap, and sunglasses. Immediately upon entering the bank, the Subject brandished a knife and demanded money. Employee 1 immediately recognized the Subject from his earlier visit to the bank.

9. The Subject approached Employee 2 and demanded money. Employee 2 was in fear of the Subject, who was standing on the other side of Employee 2's counter, next to a customer, and brandishing a large knife. Employee 2 gave the Subject money from her bank drawer. Employee 3 moved away from her drawer and the Subject when he approached Employee 2.

10. The Subject cursed at the bank employees and then fled on foot in a northbound direction. Employee 1 locked the double glass doors behind her desk, which face north. Employee 1 watched the Subject run northbound for a couple hundred yards and into the tree line located near the Clinton P. Anderson Park. The park is located a few blocks north of the bank. An O'Reilly's Auto Parts store and a Taco Bell restaurant are located to the north of the park.

11. Bank employees called 911 and reported the robbery.

12. On July 31, 2017, photo arrays consisting of six subjects were presented to the three U.S. Bank employees who were present during the robbery<sup>1</sup>. Employee 1 identified photo #3 (the Subject) as

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<sup>1</sup> I interviewed the three bank employees separately. The photo arrays consisted of six photos, in no particular order. I read the following admonishment to each employee before showing them separate photo array packets:



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the person who had robbed the bank. Employee 2 and Employee 3 did not recognize anyone in the photo arrays.

**Surveillance Video Evidence:**

13. FBI agents obtained video surveillance from the U.S. Bank and Taco Bell restaurant located at 3555 Isleta Boulevard SW, Albuquerque, New Mexico (about 0.4 miles north of the U.S. Bank). The O'Reilly's Auto Parts store did not have surveillance equipment. I reviewed the surveillance footage and observed the Subject and a male accomplice approach the Taco Bell restaurant, on foot, a few minutes after the bank robbery. The Subject appeared to change his pants in front of Taco Bell and then entered the restaurant. The male accomplice and the Subject met with two other associates (one male, one female) in front of the Taco Bell and then all four entered the restaurant. The second male accomplice, who arrived with the female, was subsequently identified as the Subject's younger brother, Daniel Saavedra. The two male and one female associate congregated around the Subject at a table inside the Taco Bell. The two males appeared to assist the Subject change clothes and remove his shoes. Based on my review of the surveillance video, I believe the Subject may have injured himself, as he appeared to be in pain and walked with a slight limp. The Subject was observed on surveillance video to pace around the restaurant, look out the windows, and talk on a cellular telephone. The two male associates and female ordered food at the counter. A few minutes later a uniformed BCSO deputy arrived in the parking lot of the Taco Bell and the Subject departed the restaurant through a side door. The Subject was not seen again.

14. Additional BCSO deputies arrived at the Taco Bell, and surrounding area, and made contact with one of the male associates and identified him as Daniel Saavedra (born 1985). Based on my review of law enforcement records, I believe Daniel is the younger brother of the Subject. Based on my review of the Taco Bell surveillance video, I believe Daniel was one of the male associates inside the Taco Bell.

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"I'm going to hand you a collection of photographs. The individuals present in the collection of photos may or may not appear as they did on the date of the robbery. The person who committed the robbery may or may not be in this group of photos. The photographs are in no particular order of significance. Regardless of whether or not you recognize anyone in these photos, the FBI will continue to investigate the robbery."

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15. I have reviewed several photos and images from the robbery and the Taco Bell surveillance video. I have also reviewed the Subject's New Mexico driver's license photo and historical jail booking photos. I believe the Subject is the person who robbed the U.S. Bank on July 27, 2017.

**Gray Sweatpants with Blood Stains:**

16. I am aware that FBI Special Agents recovered a gray colored pair of sweat pants in front of the Taco Bell restaurant during their canvas of the area following the robbery. Based on my review of surveillance video, I believe the gray sweatpants are the ones the Subject wore during the bank robbery. FBI Special Agents Paul Wright and Ryan Milliken collected the sweat pants from the Taco Bell and advised me that the sweat pants contained several small blood stains. I believe the Subject may have injured himself during his flight from the bank and the sweatpants may contain his blood. Therefore, I am requesting to collect a DNA sample from the Subject via Buccal swab. I will request the FBI laboratory conduct comparison analysis and testing of the Subject's DNA and the sweatpants.

17. I have reviewed the Subject's criminal history report and noted he has prior arrests for: abuse of a child (2016); murder in the first degree, kidnapping, armed robbery, aggravated battery with great bodily harm, aggravated assault with a deadly weapon, and unlawful taking of a motor vehicle (2013); kidnapping, robbery, aggravated battery (2012); assault with intent to commit a violent felony and aggravated battery (2011); unlawful taking of a motor vehicle (2010); unlawful taking of a motor vehicle (2009); aggravated fleeing a law enforcement officer, possession of a controlled substance, unlawful taking of a motor vehicle (2009); unlawful taking of a motor vehicle (2008); probation violation (2008); parole violation (2007); unlawful taking of a motor vehicle (2007); robbery, conspiracy, false imprisonment, aggravated assault with a deadly weapon (2005); battery against a household member (2004); possession of a controlled substance (2004); battery against a household member (2003); assault and battery on school personnel (1999); unlawful taking of a motor vehicle, auto burglary, and possession of burglary tools (1998); receive stolen property, transport stolen vehicle, and possession of stolen credit cards (1997); and commercial burglary, conspiracy, tampering with evidence, larceny, vandalism, and receiving stolen property (1997).

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18. The Subject appears to have multiple convictions for Unlawful Taking of a Motor Vehicle and has served time in the New Mexico Corrections Department (NMCD number 66517).

19. I have attached several photographs from the U.S. Bank and Taco Bell surveillance videos, as well as of the Subject for the Court's review. The photographs have been attached hereto as **Exhibit 1** (consisting of seven pages) and should be incorporated herein.

20. Based on the information contained within this affidavit, combined with my training and experience, I believe the evidence items contained within "Attachment B" and incorporated herein by reference may be present with the Subject and at the Subject Premises.

**THE PERSON AND PREMISES TO BE SEARCHED**

21. The Subject is Dennis Anthony Saavedra, year of birth 1983, last four of social security number 1983, described as a Hispanic, male, adult, having brown hair, brown eyes, being about 5-06 in height and approximately 150 pounds in weight. The Subject has several tattoos on his body. I am requesting to collect a DNA sample from the Subject via Buccal swab.

22. The Subject Premises is located at 5710 Evans Road SW, Albuquerque, New Mexico, and may be described as a single story residence with white and gray stucco siding and brown trim. A five foot high chain link fence encompasses the property and the numbers "5710" are posted on a wooden post near the driveway to the premises. A black mailbox in front of the residence is posted "5710 Evans." The Subject Premises is listed on the Subject's current New Mexico identification card, issued April 19, 2017 as his residence. I am aware the Subject receives public benefits from the New Mexico Human Services Department and his residence of record with that agency is the Subject Premises. A review of law enforcement and public record databases indicated the Subject lives at the Subject Premises. NMCD and MDC records also listed the Subject Premises as the Subject's residence. The Subject Premises is located approximately 1.9 miles from the scene of the U.S. Bank robbery.

23. Based on my training and experience, I know that persons who commit robberies, to include bank robberies, often maintain fruits, instrumentalities, and other items related to the robbery,

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such as U.S. currency, weapons, and clothing worn during or after the robbery, and that these items are usually stored in the person's residence, garage, storage containers on the property, and in their vehicle(s).

24. Color photographs of the Subject and Subject Premises have been included in Attachment A, attached hereto and incorporated herein.

**CONCLUSION**

25. Based on the aforementioned information and investigation, I submit that probable cause exists to search the Subject and Subject Premises, described in Attachment A, to search for the items described in Attachment B, which are evidence, fruits, and instrumentalities of, or used in the commission of the aforementioned crime, that is, Bank Robbery in violation of 18 U.S.C. § 2113.

26. I also believe that probable cause exists to believe that the Subject committed the aforementioned Bank Robbery in violation of 18 U.S.C. § 2113.

27. This affidavit has been reviewed by FBI Assistant Division Counsel Anthony Costanza and Supervisory Assistant United States Attorney Kimberly Brawley of the District of New Mexico.

Respectfully submitted,

  
Bryan M. Acee,  
FBI Special Agent

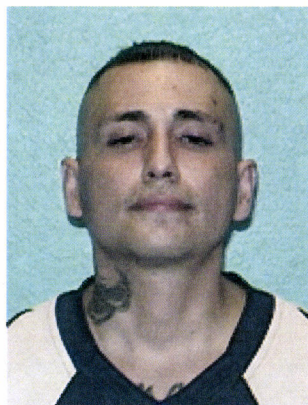
SUBSCRIBED AND SWORN BEFORE ME ON AUGUST 3, 2017:

  
WILLIAM P. LYNCH  
U. S. MAGISTRATE JUDGE

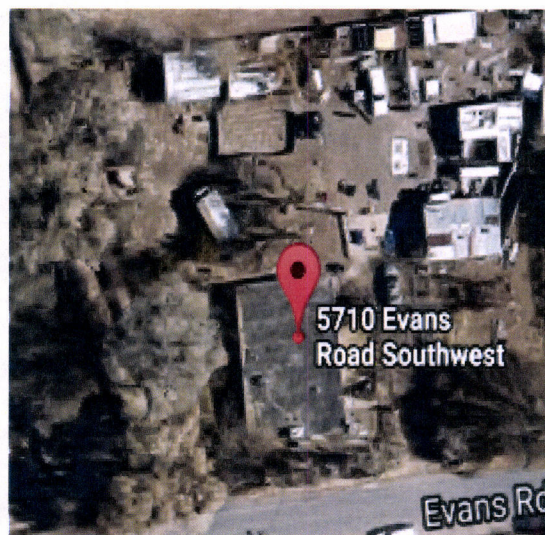


**ATTACHMENT A**  
**PERSON AND PREMISES TO BE SEARCHED**

**The Person** to be arrested and searched is Dennis Anthony Saavedra, year of birth 1983, last four of social security number 1983, described as a Hispanic, male, adult, having brown hair, brown eyes, being about 5-06 in height and approximately 150 pounds in weight. The Subject has several tattoos on his body. I am requesting to collect a DNA sample from the Subject via Buccal swab. A color photograph of the Subject follows:



**The Subject Premises** is located at 5710 Evans Road SW, Albuquerque, New Mexico, and may be described as a single story residence with white and gray stucco siding and brown trim. A five foot high chain link fence encompasses the property and the numbers "5710" are posted on a wooden post near the driveway to the premises. A black mailbox in front of the residence is posted "5710 Evans." The search is to include all rooms, attachments, storage containers, out buildings, trash cans, and vehicles at the Subject Premises. Color photographs of the premises follow:





**ATTACHMENT B  
ITEMS TO BE SEIZED**

All evidence of violations of 18 U.S.C. § 2113 Bank Robbery, including but not limited to the following items:

- 1) A red UNM Lobos t-shirt, a white t-shirt, black sweatshirt and sweatpants, white tennis shoes, a black baseball cap, black sunglasses, as seen in the six photos below:



- 2) A dark colored knife.
- 3) United States currency.
- 4) Cellular telephones and their contents: to include phone book or contacts list, call history, text messaging, audio/video files, photographs, and any other material stored on the telephone(s).
- 5) Articles of property tending to establish the identity of persons in control of premises, vehicles, storage areas, and containers being searched, including utility company receipts, written correspondence, addressed envelopes, and keys.
- 6) FBI agents will collect a DNA buccal swab from the Defendant.

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT,  
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# **Exhibit 1**

Seven pages of photographs have been attached to this exhibit for the Court's review.



**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT,  
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**Digital Video Snapshot**

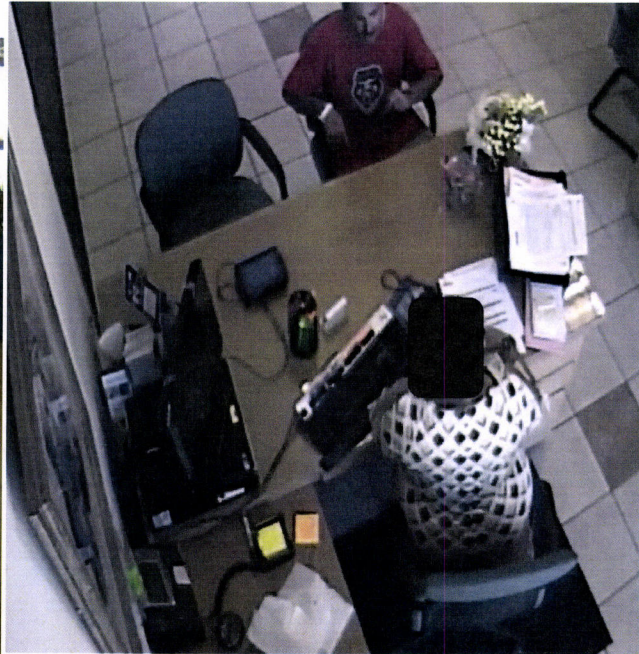
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Camera Name: IP 18 Lobby Overview  
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Capture Size: 640 x 480 pixels  
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Device Serial Number: NR1645A001  
Device Station ID: 7611\_Isleta\_Blvd\_SW

**Digital Video Snapshot**

Site: Pacific Division/Mountain Region/NM/7611 Isleta Blvd SW  
Camera Group: 7611 Isleta Blvd SW  
Camera Name: 09 Lobby Desk 2  
7/27/2017 3:03:15 PM (Mountain Daylight Time)



Capture Size: 704 x 480 pixels  
Device Network Name: PSV/NMA7LS01-01  
Device Serial Number: NR1645A001  
Device Station ID: 7611\_Isleta\_Blvd\_SW

**Digital Video Snapshot**

Site: Pacific Division/Mountain Region/NM/7611 Isleta Blvd SW  
Camera Group: 7611 Isleta Blvd SW  
Camera Name: 11 Main Exit H/S  
7/27/2017 3:04:13 PM (Mountain Daylight Time)



Capture Size: 704 x 480 pixels  
Device Network Name: PSV/NMA7LS01-01  
Device Serial Number: NR1645A001  
Device Station ID: 7611\_Isleta\_Blvd\_SW

**Digital Video Snapshot**

Site: Pacific Division/Mountain Region/NM/7611 Isleta Blvd SW  
Camera Group: 7611 Isleta Blvd SW  
Camera Name: 11 Main Exit H/S  
7/27/2017 3:04:14 PM (Mountain Daylight Time)



Capture Size: 704 x 480 pixels  
Device Network Name: PSV/NMA7LS01-01  
Device Serial Number: NR1645A001  
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**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT,  
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Digital Video Snapshot

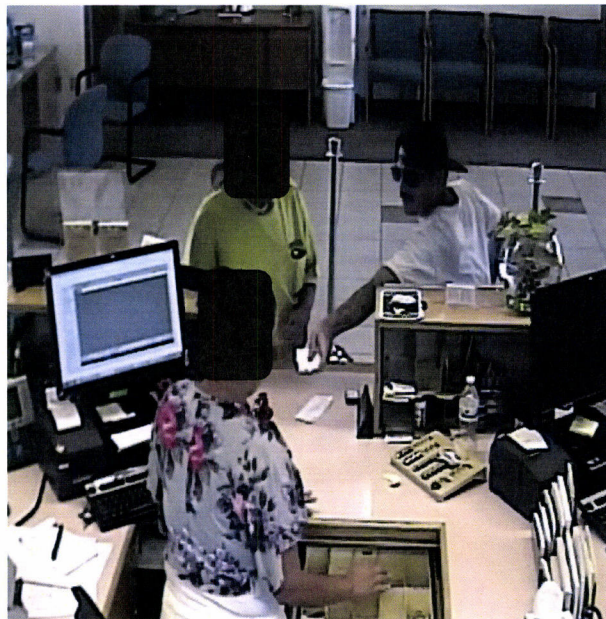
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Camera Name: 05 Teller 4  
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Capture Size: 704 x 480 pixels  
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Digital Video Snapshot

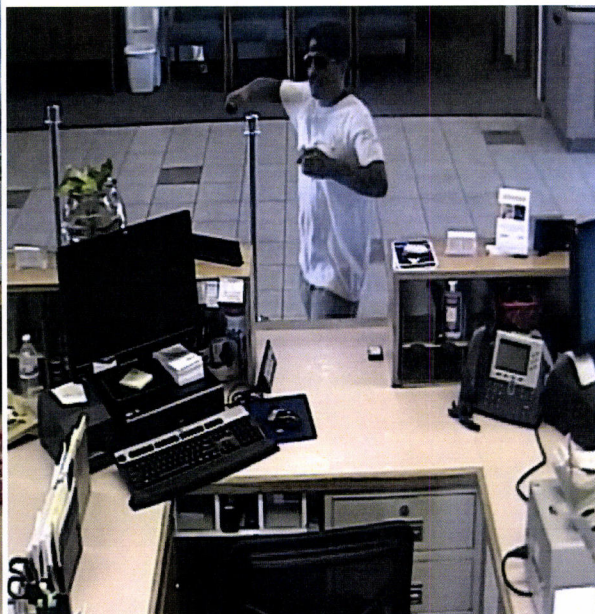
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Camera Name: 03 Teller 2  
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Capture Size: 704 x 480 pixels  
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Device Serial Number: NR1645A001  
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Digital Video Snapshot

Site: Pacific Division/Mountain Region/NM/7611 Isleta Blvd SW  
Camera Group: 7611 Isleta Blvd SW  
Camera Name: 04 Teller 3  
7/27/2017 3:53:29 PM (Mountain Daylight Time)



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Digital Video Snapshot

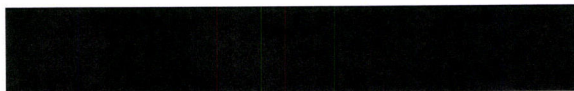
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**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT,  
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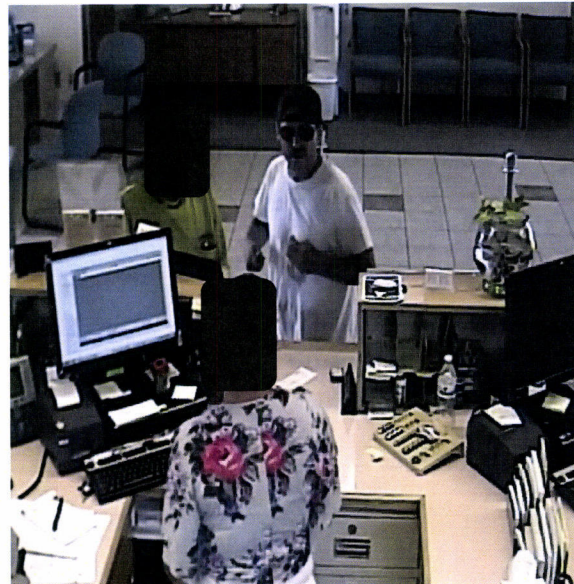
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**Digital Video Snapshot**

Site: Pacific Division/Mountain Region/NM/7611 Isleta Blvd SW  
Camera Group: 7611 Isleta Blvd SW  
Camera Name: 11 Main Exit H/S  
7/27/2017 3:53:53 PM (Mountain Daylight Time)



Capture Size: 704 x 480 pixels  
Device Network Name: PSV/NMA7LS01-01  
Device Serial Number: NR1645A001  
Device Station ID: 7611\_Isleta\_Blvd\_SW



Capture Size: 704 x 480 pixels  
Device Network Name: PSV/NMA7LS01-01  
Device Serial Number: NR1645A001  
Device Station ID: 7611\_Isleta\_Blvd\_SW

**Jail booking photos of the Subject from MDC.**





**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT,  
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**Taco Bell Surveillance Photos**





AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT,  
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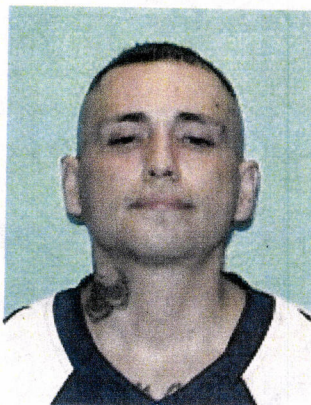
**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT,  
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**ATTACHMENT A**  
**PERSON AND PREMISES TO BE SEARCHED**

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